

Morris, Andrew J.

From: Morris, Andrew J.
Sent: Friday, February 23, 2024 3:55 PM
To: Terry M McKeever
Cc: pdugas@dcclawfirm.com; Peyton S. Howell (peyton.howell@mcafeetaft.com); Dickerson, Jessica
Subject: Mullicans / State Farm

Terry – I understand that Mr. Williams did not appear this morning despite service of the deposition subpoena having been made on him. Our position remains unchanged: Mr. Williams either needs to sit for a deposition because one was properly subpoenaed, or he should not be allowed to testify at trial. Before we file a motion regarding him, I want to make sure that I understand your position, which I believe is that you do not have the ability to present Mr. Williams for a deposition. Frankly, at this point, I don't know how we'd get a deposition in without having to reset the *Daubert* and dispositive deadlines, as well as the trial date, entirely—even if Mr. Williams was willing to appear. Do you have any other suggestion for how this issue can be addressed? Would you be willing to stipulate that you won't call Mr. Williams (or anybody from Valor) as a witness at trial and that none of your witnesses will rely on or mention information or opinions from Mr. Williams/Valor for their testimony? If there's a stipulation of some sort which we could work out, I'm willing to take such a proposal to my client and see if that's acceptable to State Farm as a means to avoid having to seek to exclude Mr. Williams/Valor entirely.

Thanks,

AJM



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